

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, APRIL 4, 2016 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; City Clerk: Teresa Meier.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

LAMM Having been appointed to read the minutes of the City Council proceedings of March 28, 2016, reported having done so, found same correct.

Seconded by Raybould & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING

APPLICATION OF EMPYREAN BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 60 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 76.5 FEET BY 82 FEET AND 69 FEET BY 51 FEET AT 300 SOUTH 7TH STREET ON APRIL 21, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M. - Jim Engelbart, 3340 Franklin Street, came forward and stated this SDL is for a biking event that will be held on the third Thursday of each month in our warehouse that has a L Class License. Porta Potties will be located in a fenced outside area. This is new from last year, we did not use fences and customers had to leave drinks inside when using the outside area. Discussion followed.

This matter was taken under advisement.

SPECIAL PERMIT 04016A – APPEAL OF DEREK SCHROEDER AND DEREK ZIMMERMAN FROM THE PLANNING COMMISSION’S CONDITIONAL APPROVAL TO CONSTRUCT A MULTI-STORY, CLIMATE-CONTROLLED INDOOR SELF-STORAGE BUILDING AND INCREASE THE ALLOWABLE FLOOR AREA TO 197,200 SQ. FT., ON PROPERTY GENERALLY LOCATED AT NORTHWOODS DRIVE AND COLBY STREET. (2/29/16 - PUBLIC HEARING & ACTION CONTINUED TO 3/28/16) (3/28/16 - PUBLIC HEARING & ACTION CONT’D TO 4/4/16) - DaNay Kalkowski, 1111 Lincoln Mall, Suite 350, came forward on behalf of Dino's Storage requesting an increase in the allowed square footage in lots 3 and 6, and to increase the allowable height from 35 to 40 feet, for an indoor climate control storage facility.

Dave Paladino, 127 North 39th Street, Omaha, came forward and stated he is the owner of Dino's Storage and this will be a low intensity use building. The use of the storage units will be for residential property, no vehicles are allowed. Discussion followed.

Cyndi Lamm, Council Member, inquired how the outside of the building would look with the materials that will be used.

Mr. Paladino said this building uses split face block with brick banding to create a differential of color, and incorporates a lot of glass for light said it will look like an office building. We have moved the building back from 84th Street and the building has also been reduced to three stories. Discussion followed.

Ms. Gaylor Baird inquired about the allowable maximum height for a building in this H-4 area she thought it was a 55 foot maximum.

Ms. Kalkowski stated when this special permit was originally approved the height limit was 35 feet, but over the course of time the height for a H-4 has gone up to 45 feet and now 55 foot maximum.

Ms. Lamm asked about the area allows 18,000 square footage and you are asking to allow 101,000 square feet.

Ms. Kalkowski said yes.

Brock Zautke, 2000 Connor Place, came forward and stated, after meeting with homeowners, there is still a concern about the impact of traffic. There will be bigger vehicles in our area and we have private streets. Larger vehicles may wear down the streets and that impact will be on us as homeowners.

Ms. Kalkowski said to address the traffic issue, there really should not be any reason for traffic to go through the residential area. They will be using Northern Lights Drive that is maintained by the commercial area, and the private roadways will be maintained by the commercial area. A U Haul is about as big as the vehicle will get. Discussion followed.

This matter was taken under advisement.

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$500,000.00 FROM GENERAL FUND CITY UNASSIGNED DEPARTMENT, CONTINGENCY DIVISION/MISCELLANEOUS OTHER SERVICES AND CHARGES OF THE CITY OF LINCOLN 2015-16 OPERATING BUDGET TO CAPITAL IMPROVEMENT PROJECT 531700 - STORM WATER IMPROVEMENT PROJECTS MATCH IN THE EVENT THE MAY 10TH, 2016 STORM WATER BOND RESOLUTION IS NOT PASSED BY VOTERS IN ORDER TO PROVIDE LOCAL MATCH FUNDING TO THOSE

**REGULAR MEETING
APRIL 4, 2016
PAGE 512**

PROGRAMS WHERE PARTNER FUNDING WOULD BE JEOPARDIZED - Cyndi Lamm, Council Member, asked Steve Hubka to explain the fund that was set up and the need for that.

Steve Hubka, Finance Director, came forward and stated that the fund is an existing fund we have had in the accounting system for years, currently it has a zero balance, but still exists so there is no need to establish a fund it is already there.

Ms. Lamm inquired this was set up as a place to park funds for the 56th and Morton Project in the event the Stormwater Bond does not pass, is that correct.

Mr. Hubka said correct, it is a Stormwater Improvement Project match we are setting up.

Ms. Lamm stated, in setting this up, we are ensuring those funds are directed to the projects that Council wants.

Mr. Hubka said exactly. Discussion followed.

Coby Mach, Lincoln Independent Business Association, 620 N. 48th St., came forward and stated one official said they have not been accurate about why these funds are now available. He said another City could not come up with the matching funds, that is why money is now available. From our public hearing on this bond issue on February 29, and quoted Ben Higgins saying "we've gotten these because somebody else has dropped off the scope, I mean somebody else had these funds but they didn't, they weren't able to do matching funds for it so we got the project, so that's a pretty bid deal for us." Mr. Mach stated that is where they had gotten the information from. They believe the City should secure the funds now.

Doug Murray, Road Builder Machinery & Supply, 5601 Fletcher Ave., came forward and stated that he is in support of this if the bond does not pass.

Carl Eskridge, Council Member, asked if, when there is a storm, FEMA gives money to NEMA a year later based on the damage that area has received.

Ben Higgins, Public Works, came forward and said when there is a major Federal Disaster, set by the Federal Government, what the cost was to fix the event they set aside a percent of that for hazard mitigation grant projects, and that is where this money is coming from. Discussion followed.

This matter was taken under advisement.

ANNEXATION 16002 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 89.59 ACRES AND ADJACENT RIGHT-OF-WAY ON PROPERTY GENERALLY LOCATED AT NORTH 89TH STREET AND FREMONT STREET. (RELATED ITEMS: 16-25, 16-26); CHANGE OF ZONE 05054D - APPLICATION OF STAROSTKA-LEWIS, LLC, TO AMEND THE PRAIRIE VILLAGE NORTH PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT OVER APPROXIMATELY 75.81 ACRES OF LAND AND A CHANGE OF ZONE FROM B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-3 RESIDENTIAL DISTRICT OVER APPROXIMATELY 7.4 ACRES OF LAND, ON PROPERTY GENERALLY LOCATED AT NORTH 89TH AND FREMONT STREET. (RELATED ITEMS: 16-25, 16-26) - Mike Eckert, 8535 Executive Woods Dr, Suite 200, Civil Design Group, came forward and stated this is a subdivision that has been growing on the south and west, and they would like to annex the rest of this area in. Most of this will be for single family with some multi family on the north end. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 16002 - APPLICATION OF LARRY AND CONNIE COFFEY AND PLACZEK PROPERTIES, LLC FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 32ND STREET AND WEST O STREET - David Cary, Planning Director, came forward and stated this is a change of zone that allows for the prevailing pattern to make more sense.

Carl Eskridge, Council Member, asked what the intended use for this property will be.

Mr. Cary stated he did not know the use of this property but would find out. Discussion followed.

This matter was taken under advisement.

TEXT AMENDMENT 16005 - AMENDING SECTION 26.27.005 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MINIMUM REQUIRED IMPROVEMENTS WITHIN A FINAL PLAT TO PROVIDE THAT THE CITY MAY ENCOURAGE AND PROMOTE THE INSTALLATION OF NEW MINIMUM REQUIRED IMPROVEMENTS NOT REQUIRED IN A PREVIOUSLY APPROVED FINAL PLAT BY AGREEING TO SUBSIDIZE THE INCREASED COST OF THE NEW MINIMUM REQUIRED IMPROVEMENT IN ACCORDANCE WITH SPECIFIC CRITERIA ADOPTED BY RESOLUTION OF THE CITY COUNCIL; AND REPEALING SECTION 26.27.005 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (RELATED ITEMS: 16-28, 16R-63); TEXT AMENDMENT 16003 - AMENDING THE CITY OF LINCOLN DESIGN STANDARDS TO ADD CHAPTER 3.100, DESIGN STANDARDS FOR OUTDOOR LIGHTING, PROVIDING DESIGN STANDARDS FOR THE INSTALLATION OF OUTDOOR LUMINARIES; REVISING SECTION 3 DEFINITION OF "LUMEN, LUMINAIRE AND MOUNTING HEIGHT"; AMENDING SUBSECTIONS 6.2, 6.3, 6.4, AND 6.7; REPEALING SECTIONS 3, 4, 6, 7, 9, AND 12 OF CHAPTER 3.100 AS HITHERTO EXISTING; AND TO PROVIDE THAT THE CITY MAY REQUIRE LED POST TOP

FIXTURES IN EXISTING FINAL PLATS PROVIDED THE CITY PAYS FOR THE INCREASED COST OVER THE APPROVED HSPV POST TOP FIXTURE. (RELATED ITEMS: 16-28, 16R-63) (ACTION DATE: 4/11/16) - David Cary, Planning Director, came forward and stated these changes allow the City to subsidize increased cost for installation of additional basic requirements with new LED lights.

Jane Raybould, Council Member, asked if for commercial properties if this will be reducing the number of foot candles that are in the existing regulations.

Jeff Hlavac, Lincoln Electric System, came forward and stated the provisions focus mainly on street lighting, not on any of the commercial or industrial properties.

Leirion Gaylor Baird, Council Member, asked about the long term costs and where the source of funding would be for that.

Frank Uhlark, Public Works & Mayors Office, came forward and stated this will be coming out of the street light budget up to \$15,000.00 dollars.

Carl Eskridge, Council Member, asked with complaints from neighborhoods of being too light and others complaining that it is too dark, what will these lights be like,

Mr. Hlavac stated the light levels in the City will not be increasing, what we have now is what it will be like, with less glare up into the sky. Discussion followed.

Ms. Raybould asked if residents need trees in the area trimmed to get the correct lighting in the area who do they call.

Mr. Hlavac said that trees can be difficult subject in some neighborhoods, if the tree is in the right-of-way that would be Parks and Rec., if it is private property where a tree has overgrown then LES would be the ones that would come out and trim the tree.

Ms. Gaylor Baird stated this will really only cover about 81 street lamps that would be eligible for this subsidy, then we are looking at the future creating a new policy for street light that still need to be installed.

Mr. Cary said that this is for looking forward with the new standards for future areas.

Mr. Hlavac said the cost is less to install the new light fixtures in areas that have been approved for the new LED lights, than to go back later and redo the lights.

Roy Christensen, Council Member, stated to be clear, in the future for areas yet to be approved who will have the cost for these.

Mr. Cary said if we establish a new standard, then the cost would fall on the developer of the property. Discussion followed.

Mr. Hlavac stated LES has been installing LED light since 2014. Discussion followed.

Bryan Syval, no address given, came forward and stated the LED fixtures on North 70th Street do not appear to be full cut off and is too bright, so he would argue what was stated earlier. He feels that the lights on 70th Street are well over the minimum standards. He also feels there is an issue with excessive blue LED lighting.

Mr. Hlavac stated regarding the color of the LED lighting the research says this color of LED represents the natural color of moon light. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 16005 - APPLICATION OF AUSTIN REALTY INVESTMENTS FOR A CHANGE OF ZONE FROM H-2 HIGHWAY BUSINESS DISTRICT TO B-5 PLANNED REGIONAL BUSINESS DISTRICT AND THE CITY'S REQUEST FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO P PUBLIC USE DISTRICT ON PROPERTY GENERALLY LOCATED AT 225 NORTH COTNER BOULEVARD AND 300 NORTH 56TH STREET RESPECTIVELY. (RELATED ITEMS: 16-30, 16R-62);

PRE-EXISTING USE PERMIT 3AG - APPLICATION OF AUSTIN REALTY INVESTMENTS TO AMEND THE BOUNDARY OF THE GATEWAY MALL USE PERMIT BY ADDING THE PROPERTY AT 225 NORTH COTNER BOULEVARD, FOR AUTHORITY TO CONSTRUCT UP TO 153 UNITS OF MULTI-FAMILY HOUSING OR TO CONSTRUCT UP TO 36,000 SQUARE FEET OF COMMERCIAL SPACE OR ANY CONSTRUCTION THEREOF, INCLUDING WAIVERS TO INCREASE THE MAXIMUM BUILDING HEIGHT FROM 40 FEET TO 55 FEET AND TO REDUCE RESIDENTIAL PARKING REQUIREMENTS FROM 2 TO 1.4 STALLS PER DWELLING UNIT, ON PROPERTY GENERALLY LOCATED AT 225 NORTH COTNER BOULEVARD. (RELATED ITEMS: 16-30, 16R-62) (ACTION DATE: 4/11/16) - Mike Eckert, 8535 Executive Woods Dr, Suite 200, Civil Design Group, came forward on behalf of Austin Reality Inc., who is requesting the change of zone from H-2 to B-5 for urban apartments. They have talked with the neighbors in the area and they have not voiced concerns.

Jon Camp, Council Member, inquired about the reduction of parking stalls and if that would still work with a project like this.

Mr. Eckert said, if needed, they will reduce the number of units to solve parking problems. They are planning on having assigned stalls for the tenants. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired if this would be a mixed use building and have some commercial use on the first floor.

Mr. Eckert stated when this project first started, Planning asked if they would like to reserve some commercial space that would be allowable in the event they wanted to do that some day. At this point, we are planning on it being entirely residential.

Ms. Gaylor Baird asked if they have had any further thought on trying to address sidewalks and walk ability for future residents.

REGULAR MEETING
APRIL 4, 2016
PAGE 514

Mr. Eckert said they will be working with Public Works on putting in a designated crosswalk and striping. Discussion followed.

Rose Kuwamoto, 5500 R Street, came forward and stated this will increase the traffic volume for this area and, at times, it already backs up. She feels that this area already has enough apartments in the area. Discussion followed.

Alan Zach, 5512 R Street, came forward and stated he is not in favor of this project. He feels that traffic will increase in the area and it is a safety concern with all of the children in the area.

Mr. Eckert stated this building will help get tenants closer to work and believes they will be walking and biking more than they will be driving. Discussion followed.

Carl Eskridge, Council Member, asked if traffic studies have been done for this area.

Mr. Eckert said there will be more vehicles added during the peak hours of 2 vehicles per minute. Discussion followed.

This matter was taken under advisement.

APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND PAUL E. VERSAW FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 1732 NORTH 28TH STREET - David Landis, Urban Development Director, came forward and stated the City is wanting to sell this property to a single parent family. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

SETTING THE BOARD OF EQUALIZATION HEARING DATE OF MONDAY, APRIL 25, 2016 AT 5:30 P.M. ON THE NORTH 27TH STREET MAINTENANCE IMPROVEMENT DISTRICT, THE UNIVERSITY PLACE MAINTENANCE IMPROVEMENT DISTRICT, THE SOUTH STREET MAINTENANCE IMPROVEMENT DISTRICT, THE HAVELOCK MAINTENANCE IMPROVEMENT DISTRICT AND THE COLLEGE VIEW MAINTENANCE IMPROVEMENT DISTRICT - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89595 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the City Clerk be and she is hereby instructed to give ten days notice by publication according to law that the city Council will, at a regular meeting to be held on the April 18, 2016 at 3:00 P.M., assess the improvements in the following special assessment districts:

North 27th Street Maintenance Improvement District

University Place Maintenance Improvement District

South Street Maintenance Improvement District

Havelock Maintenance Improvement District

College View Maintenance Improvement District

BE IT FURTHER RESOLVED that the City Council will sit as a Board of Equalization for the purpose of distributing said tax and equalizing said assessments on Monday, April 25, 2015, at 5:30P.M. with adjournments from day to day until said work of equalizing said assessments are completed.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON MARCH 21, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS FEBRUARY 29, 2016. - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, APRIL 18, 2016 AT 3:00 P.M. ON THE APPLICATION OF MAGALEX CO. LLC DBA PINOT'S PALETTE FOR A CLASS I LIQUOR LICENSE AT 3900 YANKEE HILL RD, SUITE 127 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89596 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 18, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Magalex Co. LLC dba Pinot's Palette for a Class I Liquor License at 3900 Yankee Hill Rd, Suite 127.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, APRIL 18, 2016 AT 3:00 P.M. ON THE APPLICATION OF HOME-GROWN INDUSTRIES OF LINCOLN LLC DBA MELLOW MUSHROOM FOR A CLASS I LIQUOR LICENSE AT 601 R STREET, SUITE 110 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89597 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 18, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application Home-Grown Industries of Lincoln LLC dba Mellow Mushroom for a Class I Liquor License at 601 R Street, Suite 110.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, APRIL 18, 2016 AT 3:00 P.M. ON THE APPLICATION OF HOME-GROWN INDUSTRIES OF LINCOLN LLC DBA MELLOW MUSHROOM FOR AN ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 601 R STREET, SUITE 110 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89598 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 18, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application Home-Grown Industries of Lincoln LLC dba Mellow Mushroom for an Entertainment District Liquor License at 601 R Street, Suite 110.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

THE FOLLOWING WERE REFERRED TO PLANNING:

SPECIAL PERMIT NO. 16013, REQUESTED BY CRETE CARRIER CORPORATION, FOR THE INSTALLATION OF A 100-FOOT FLAG POLE, ON PROPERTY LEGALLY DESCRIBED AS LOT 39 SW, LOCATED IN THE SW 1/4 OF SECTION 19-10-6, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT 400 NW 56TH STREET. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE CITY COUNCIL.

CHANGE OF ZONE NO. 16013, REQUESTED BY STAROSTKA-LEWIS, LLC, FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT, FOR DEVELOPMENT OF SINGLE-FAMILY LOTS, ON PROPERTY LEGALLY DESCRIBED AS A PORTION OF LOT 46 I.T., AND LOT 42 I.T., LOCATED IN THE NE 1/4 OF SECTION 33-11-6, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT WEST SILVERADO COURT AND HIGHWAY SPECIAL PERMIT NO. 16011, REQUESTED BY ALLO COMMUNICATIONS, LLC, FOR THE CONSTRUCTION AND OPERATION OF A FIBER OPTIC UTILITY BUILDING, ON PROPERTY LEGALLY DESCRIBED AS LOT 1, HAWKSWOOD ESTATES 2ND ADDITION, LOCATED IN THE NE 1/4 OF SECTION 16-9-7, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF SOUTH 70TH STREET AND OLD CHENEY ROAD. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE CITY COUNCIL.

SPECIAL PERMIT NO. 16008, REQUESTED BY CATHOLIC BISHOP OF LINCOLN, TO ALLOW FOR THE CONVERSION OF AN EXISTING SINGLE-FAMILY DWELLING INTO A DWELLING FOR UP TO FOUR MEMBERS OF A RELIGIOUS ORDER, ON PROPERTY LEGALLY DESCRIBED AS THE S 1/2 OF LOT 121, WITHERBEE GARDENS, LOCATED IN THE NW 1/4 OF SECTION 29-10-7, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT 543 SOUTH 46TH STREET. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO CITY COUNCIL.

CHANGE OF ZONE NO. 16010, REQUESTED BY LANCASTER COUNTY, FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT, ON PROPERTY LEGALLY DESCRIBED AS LOTS 8, 9, 18, AND 19, LOT 10 EXCEPT THE SOUTH 21.5 FEET OF THE WEST 63.42 FEET, LOT 17 EXCEPT THE SOUTH 21.5 FEET, THE EAST 65.38 FEET OF LOTS 11, 12, AND 13, AND THE VACATED NORTH-SOUTH ALLEY LYING BETWEEN THE NORTH LINE OF LOTS 8 AND 19 AND A POINT LOCATED 28.5 FEET SOUTH OF THE NORTH LINE OF LOTS 10 AND 17, ALL IN DAVIS SUBDIVISION, AND PART OF THE E 1/2 OF LOT 6, LOCATED IN THE SW 1/4 OF SECTION 36-10-6, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT 2201 SOUTH 17TH STREET.

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF CRAIG W. STAGE FOR HOPCAT-LINCOLN, LLC DBA HOPCAT AT 601 P STREET - PRIOR to reading:

CAMP Moved to delay public hearing & action for one week to 4/11/16.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF EMPYREAN BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 60 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 76.5 FEET BY 82 FEET AND 69 FEET BY 51 FEET AT 300 SOUTH 7TH STREET ON APRIL 21, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89599 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Empyrean Brewing Co. for a special designated license to cover an outdoor area measuring approximately 60 feet by 60 feet and an indoor area measuring approximately 76.5 feet by 82 feet and 69 feet by 51 feet at 300 South 7th Street, Lincoln, Nebraska, on April 21, 2016, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

SPECIAL PERMIT 04016A – APPEAL OF DEREK SCHROEDER AND DEREK ZIMMERMAN FROM THE PLANNING COMMISSION’S CONDITIONAL APPROVAL TO CONSTRUCT A MULTI-STORY, CLIMATE-CONTROLLED INDOOR SELF-STORAGE BUILDING AND INCREASE THE ALLOWABLE FLOOR AREA TO 197,200 SQ. FT., ON PROPERTY GENERALLY LOCATED AT NORTHWOODS DRIVE AND COLBY STREET. (2/29/16 - PUBLIC HEARING & ACTION CONTINUED TO 3/28/16) (3/28/16 - PUBLIC HEARING & ACTION CONT’D TO 4/4/16) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89600 WHEREAS, Northern Lights, LLC and Yeutter Family, LLC have submitted an application designated as Special Permit No. 04016A to amend the Northern Lights Commercial Center planned service commercial special permit to increase the total floor area to 197,200 square feet and modification of Special Permit Note 10 to state “Building height shall not exceed 35 feet except on Lots 6 and 10 where building height shall not exceed 40 feet” on property generally located at Northwoods Drive and Colby Street and legally described as:

Lots 1-4, Block 1, and Lots 1-7, Block 2, Northern Lights 14th Addition,
Lincoln, Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing on January 20, 2016 on said application and adopted Resolution No. PC-01480 conditionally approving the same; and

WHEREAS, Derek Schroeder and Derek Zimmerman have filed a Notice of Appeal appealing the action of the Planning Commission conditionally approving Special Permit No. 04016A; and

WHEREAS, pursuant to Lincoln Municipal Code § 27.27.080(g), the action appealed from is deemed advisory and the City Council is authorized to take final action on the application for Special Permit No. 04016A; and

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this special permit will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the Comprehensive Plan of the City of Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Northern Lights, LLC and Yeutter Family, LLC, hereinafter referred to as “Permittee” to amend the Northern Lights Commercial Center planned service commercial special permit to

increase the total floor area to 197,200 square feet and modification of Special Permit Note 10 to state “Building height shall not exceed 35 feet except on Lots 6 and 10 where building height shall not exceed 40 feet” on the property described above, be and the same is hereby granted under the provisions of Section 27.63.470 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves an increase in total floor area to 197,200 square feet and modification of Special Permit Note 10 to state “Building heights shall not exceed 35 feet except on Lots 6 and 10 where building height shall not exceed 40 feet.”
2. Before receiving building permits the Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions as listed below:
 - a. Change land use table for Lots 6 and 10 from “retail/commercial” to “mini-warehouse”, reduce the floor area for Lots 6 and 10 to 101,000 square feet, and reduce the total floor area to 197,200 square feet.
 - b. Add a note that “a minimum of 1 parking stall per 56 units will be provided for the mini-warehouse use.”
 - c. Update legal description to read:
“Lots 1-4, Block 1, and Lots 1-7, Block 2, Northern Lights 14th Addition, located in the Southeast Quarter of Section 15, Township 10 North, Range 7 East of the 6th P.M., Lincoln. Lancaster County, Nebraska, generally located at Northwoods Drive and Colby Street.”
 - d. Revise Note 10 to state “Building height shall not exceed 35 feet except on Lots 6 and 10 where building height shall not exceed 40 feet.”
 - e. Add a note that states, “The building constructed upon Lots 6 and 10 shall be in substantial conformance with the site plan and elevations submitted by Permittee.”
3. Before occupying the building all development and construction shall have been completed in substantial compliance with the approved plans.
4. All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established owners association approved by the City.
5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
6. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors, and assigns.
7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued until the letter of acceptance has been filed.
8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all prior resolutions approving this permit shall remain in full force and effect as specifically amended by this resolution.

Introduced by Carl Eskridge

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Raybould; NAYS: Lamm.

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$500,000.00 FROM GENERAL FUND CITY UNASSIGNED DEPARTMENT, CONTINGENCY DIVISION/MISCELLANEOUS OTHER SERVICES AND CHARGES OF THE CITY OF LINCOLN 2015-16 OPERATING BUDGET TO CAPITAL IMPROVEMENT PROJECT 531700 - STORM WATER IMPROVEMENT PROJECTS MATCH IN THE EVENT THE MAY 10TH, 2016 STORM WATER BOND RESOLUTION IS NOT PASSED BY VOTERS IN ORDER TO PROVIDE LOCAL MATCH FUNDING TO THOSE PROGRAMS WHERE PARTNER FUNDING WOULD BE JEOPARDIZED - PRIOR to reading:

LAMM Moved Motion to Amend #1 to amend Bill No. 16R-64 to accept and substitute Resolution No. 16R-64S and Substitute Attachment “A” attached hereto.

Second by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

RAYBOULD Moved Motion to Amend #2 to amend Bill No. 16R-64 as follows:

On page 1, lines 15-16, strike the existing WHEREAS clause and insert in lieu thereof a new WHEREAS to read as follows: WHEREAS, The City of Lincoln desires that match funding from other partners is secured.

Second by Eskridge & **LOST** by the following vote; AYES: Eskridge, Gaylor Baird, Raybould; NAYS: Camp, Christensen, Fellers, Lamm.

RAYBOULD Moved Motion to Amend #3 to amend Bill No. 16R-64 as follows:

On page 2, line 4, after the words “partner funding” strike “would be jeopardized” and insert in lieu thereof the following language: is required.

**REGULAR MEETING
APRIL 4, 2016
PAGE 518**

Second by Eskridge & **LOST** by the following vote; AYES: Eskridge, Gaylor Baird, Raybould; NAYS: Camp, Christensen, Fellers, Lamm.

CLERK Read the following resolution, introduced by Cyndi Lamm, who moved its adoption:
A-89601 WHEREAS, storm water project funding helps maintain the health and safety of Lincoln residents;
 and

WHEREAS, the citizens of Lincoln will vote on May 10, 2016 whether to fund a bond issue on a number of critical storm water projects across the community; and

WHEREAS, the members of the city council supporting this resolution pledge their support of all projects included in the storm water bond issue that is to appear before Lincoln voters on the May 10, 2016 ballot; and

WHEREAS, local storm water project funding leverages funding from the Army Corp of Engineers, the Federal Emergency Management Agency, State Department of Environmental Quality and the Lower Platte South Natural Resources District, and other partners; and

WHEREAS, many of the projects in the proposed bond issue are funded by other governmental agencies that require a local match in order to ensure those projects' completion; and

WHEREAS, the City of Lincoln desires to ensure that match funding from other partners is not lost, placing greater burden on local taxpayers.

THEREFORE BE IT RESOLVED, that Capital Improvement Project “Storm Water Improvement Projects Match” (531700) be established in the Storm Sewer Construction Fund (400).

In the event the May 10, 2016 storm water bond resolution is not passed by voters, \$500,000 shall be transferred within one business day of the date the Election Commissioner certifies results of the vote, from General Fund City Unassigned Department, Contingency Division/Miscellaneous Other Services and Charges of the City of Lincoln 2015-16 Operating budget to project 531700 in order to provide local match funding to those programs where partner funding ~~would be jeopardized~~ is required.

The funds would be used solely for those projects listed in the May 10, 2016 storm water bond resolution. If the bond resolution is not successful, the Watershed Management Division is directed to immediately apply the funding to the 56th & Morton Area Channel Improvement Project, the project currently with the largest amount of funding at risk of loss. Any remaining funds shall be used for the purpose of providing local match funding to other projects/programs listed on Attachment "A".

Introduced by Cyndi Lamm

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

ANNEXATION 16002 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 89.59 ACRES AND ADJACENT RIGHT-OF-WAY ON PROPERTY GENERALLY LOCATED AT NORTH 89TH STREET AND FREMONT STREET. (RELATED ITEMS: 16-25, 16-26) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 05054D - APPLICATION OF STAROSTKA-LEWIS, LLC, TO AMEND THE PRAIRIE VILLAGE NORTH PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT OVER APPROXIMATELY 75.81 ACRES OF LAND AND A CHANGE OF ZONE FROM B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-3 RESIDENTIAL DISTRICT OVER APPROXIMATELY 7.4 ACRES OF LAND, ON PROPERTY GENERALLY LOCATED AT NORTH 89TH AND FREMONT STREET. (RELATED ITEMS: 16-25, 16-26) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

CHANGE OF ZONE 16002 - APPLICATION OF LARRY AND CONNIE COFFEY AND PLACZEK PROPERTIES, LLC FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 32ND STREET AND WEST O STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

TEXT AMENDMENT 16005 - AMENDING SECTION 26.27.005 OF THE LINCOLN MUNICIPAL CODE
RELATING TO THE MINIMUM REQUIRED IMPROVEMENTS WITHIN A FINAL PLAT TO
PROVIDE THAT THE CITY MAY ENCOURAGE AND PROMOTE THE INSTALLATION OF NEW
MINIMUM REQUIRED IMPROVEMENTS NOT REQUIRED IN A PREVIOUSLY APPROVED
FINAL PLAT BY AGREEING TO SUBSIDIZE THE INCREASED COST OF THE NEW MINIMUM

REQUIRED IMPROVEMENT IN ACCORDANCE WITH SPECIFIC CRITERIA ADOPTED BY RESOLUTION OF THE CITY COUNCIL; AND REPEALING SECTION 26.27.005 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (RELATED ITEMS: 16-28, 16R-63) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 26.27.005 of the Lincoln Municipal Code relating to the minimum required improvements within a final plat to provide that the City may encourage and promote the installation of new minimum required improvements not required in a previously approved final plat by agreeing to subsidize the increased cost of the new minimum required improvement in accordance with specific criteria adopted by resolution of the City Council and repealing Section 26.27.005 of the Lincoln Municipal Code as hitherto existing, the second time.

TEXT AMENDMENT 16003 - AMENDING THE CITY OF LINCOLN DESIGN STANDARDS TO ADD CHAPTER 3.100, DESIGN STANDARDS FOR OUTDOOR LIGHTING, PROVIDING DESIGN STANDARDS FOR THE INSTALLATION OF OUTDOOR LUMINARIES; REVISING SECTION 3 DEFINITION OF "LUMEN, LUMINAIRE AND MOUNTING HEIGHT"; AMENDING SUBSECTIONS 6.2, 6.3, 6.4, AND 6.7; REPEALING SECTIONS 3, 4, 6, 7, 9, AND 12 OF CHAPTER 3.100 AS HITHERTO EXISTING; AND TO PROVIDE THAT THE CITY MAY REQUIRE LED POST TOP FIXTURES IN EXISTING FINAL PLATS PROVIDED THE CITY PAYS FOR THE INCREASED COST OVER THE APPROVED HSPV POST TOP FIXTURE. (RELATED ITEMS: 16-28, 16R-63) (ACTION DATE: 4/11/16)

CHANGE OF ZONE 16005 - APPLICATION OF AUSTIN REALTY INVESTMENTS FOR A CHANGE OF ZONE FROM H-2 HIGHWAY BUSINESS DISTRICT TO B-5 PLANNED REGIONAL BUSINESS DISTRICT AND THE CITY'S REQUEST FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO P PUBLIC USE DISTRICT ON PROPERTY GENERALLY LOCATED AT 225 NORTH COTNER BOULEVARD AND 300 SOUTH 56TH STREET RESPECTIVELY. (RELATED ITEMS: 16-30, 16R-62) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27, of the Lincoln Municipal Code, by changing the boundaries of the districts established as shown thereon, the second time.

PRE-EXISTING USE PERMIT 3AG - APPLICATION OF AUSTIN REALTY INVESTMENTS TO AMEND THE BOUNDARY OF THE GATEWAY MALL USE PERMIT BY ADDING THE PROPERTY AT 225 NORTH COTNER BOULEVARD, FOR AUTHORITY TO CONSTRUCT UP TO 153 UNITS OF MULTI-FAMILY HOUSING OR TO CONSTRUCT UP TO 36,000 SQUARE FEET OF COMMERCIAL SPACE OR ANY CONSTRUCTION THEREOF, INCLUDING WAIVERS TO INCREASE THE MAXIMUM BUILDING HEIGHT FROM 40 FEET TO 55 FEET AND TO REDUCE RESIDENTIAL PARKING REQUIREMENTS FROM 2 TO 1.4 STALLS PER DWELLING UNIT, ON PROPERTY GENERALLY LOCATED AT 225 NORTH COTNER BOULEVARD. (RELATED ITEMS: 16-30, 16R-62) (ACTION DATE: 4/11/16)

APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND PAUL E. VERSAW FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 1732 NORTH 28TH STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, approving a Real Estate Purchase Agreement between the City of Lincoln and Paul E. Versaw authorizing the sale of City owned property generally located at 1732 North 28th Street, Lincoln, Nebraska, the second time.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE 2015 AND DECEMBER 2015 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read an ordinance, introduced by Carl Eskridge, adopting the supplements to the Lincoln Municipal Code dated June 2015 and December 2015 as part of the official Lincoln Municipal Code, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered #20310, is recorded in Ordinance Book 30.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN HAYMARKET DEVELOPMENT CORPORATION TO CONDUCT AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREET AND P STREET FROM 7TH TO 8TH STREET FROM MAY 7, 2016 THROUGH OCTOBER 15, 2016; Q STREET FROM 7TH TO CANOPY STREET AND CANOPY STREET FROM P TO Q STREET FROM MAY 7, 2016 THROUGH OCTOBER 15, 2016; AND ON 8TH STREET FROM P TO Q STREET FROM MAY 7, 2016 THROUGH AUGUST 27, 2016 - CLERK read an ordinance, introduced by Carl Eskridge, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public

REGULAR MEETING
APRIL 4, 2016
PAGE 520

g6 market in the Haymarket area, 7th Street from P to Q Streets; P Street from 7th to 8th Streets; Q Street from 7th to Canopy Streets; and under the Canopy along Canopy Street from P to Q Streets; from May 7, 2016 through October 15, 2016 and on 8th Street from P to Q Street from May 7, 2016 through August 27th, 2016, and authorizing the Mayor to sign such Contract on behalf of the City, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Camp & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered #20311, is recorded in Ordinance Book 30.

RESOLUTIONS - 1ST READING

REAPPOINTING RONALD GEARY TO THE BOARD OF MECHANICAL EXAMINERS FOR A TERM EXPIRING APRIL 4, 2019. *(CONSENT)*

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MARCH 16-31, 2016.

APPROVING A RESOLUTION TO PREVENT TOBACCO CONSUMPTION OR SIMULATED ACTIVITIES AT OR WITHIN FIFTEEN (15) FEET OF A BUS STOP, BUS SHELTER, OR PERIMETER LINE OF ANY TRANSIT CENTER OR FACILITY.

APPOINTING BETSY BERGMAN TO THE STAR TRAN ADVISORY BOARD FOR A TERM EXPIRING OCTOBER 20, 2017. *(CONSENT)*

ORDERING CONSTRUCTION OF SIDEWALKS ALONG THE WEST SIDE OF 48TH STREET FROM HOLDREGE TO LEIGHTON STREET WHERE SIDEWALKS CURRENTLY DO NOT EXIST.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

AMENDING CHAPTER 8.20 OF THE LINCOLN MUNICIPAL CODE RELATING TO LINCOLN FOOD CODE TO ADD A NEW SECTION NUMBERED 8.20.070 TO REQUIRE FOOD HANDLERS AND FOOD MANAGERS TO PREVENT CONTAMINATION OF FOOD FROM HANDS - CLERK read an ordinance, introduced by Cyndi Lamm, amending Chapter 8.20 of the Lincoln Municipal Code relating to Lincoln Food Code to add a new section numbered 8.20.070 to require food handlers and food managers to wash their hands as specified in the Nebraska Food Code, the first time.

AMENDING CHAPTER 4.28 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE LINCOLN AIRPORT BY ADDING A NEW SECTION NUMBERED 4.28.060 ENTITLED "UNMANNED AIRCRAFT SYSTEMS; INTENT" TO STATE THE INTENT OF THE CITY COUNCIL IN ENACTING REGULATIONS FOR THE OPERATION OF UNMANNED AIRCRAFT SYSTEMS; BY ADDING A NEW SECTION NUMBERED 4.28.070 ENTITLED "UNMANNED AIRCRAFT SYSTEMS; DEFINITIONS" TO PROVIDE DEFINITIONS OF THE TERMS; BY ADDING A NEW SECTION NUMBERED 4.28.080 TO ESTABLISH OPERATING RESTRICTIONS FOR UNMANNED AIRCRAFT; AND BY ADDING A NEW SECTION NUMBERED 4.28.090 TO ESTABLISH PENALTIES - CLERK read an ordinance, introduced by Cyndi Lamm, amending Chapter 4.28 of the Lincoln Municipal Code relating to the Lincoln Airport by adding a new Section numbered 4.28.060 entitled "Unmanned Aircraft Systems; Intent" to state the intent of the City Council in enacting proposed regulations for the operation of Unmanned Aircraft Systems; by adding a new Section numbered 4.28.070 entitled "Unmanned Aircraft Systems; Definitions" to provide definitions of the terms; by adding a new Section numbered 4.28.080 to establish operating restrictions for the operation of unmanned aircraft within the City of Lincoln; and by adding a new Section numbered 4.28.090 to establish penalties, the first time.

PENDING LIST

AMENDING CHAPTER 2.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MAYOR'S AUTHORITY TO EXECUTE CONTRACTS BY ADDING A NEW SECTION NUMBERED 2.06.120 REQUIRING COUNCIL APPROVAL OF NON-BID CONTRACTS ABOVE \$50,000.00. (11/16/15 - DELAY ACTION W/ PUBLIC HEARING 3 WEEKS TO 12/07/15) (12/7/15 - ACTION DELAYED W/ CONTINUED PUBLIC HEARING 1 WEEK TO 12/14/15, 7-0) (12/14/15 - ACTION DELAYED W/ CONTINUED PUBLIC HEARING TO 1/11/16) (1/11/16 - PLACED ON PENDING, NO DATE CERTAIN) (WITHDRAWN, 7-0; #38-4667) - CLERK read an ordinance, introduced by Carl Eskridge, amending chapter 2.06 of the Lincoln Municipal Code relating to the Mayor's Authority to execute contracts by adding a new section numbered 2.06.120 requiring Council approval of non-bid contracts above \$50,000.00, for the third time - PRIOR to reading:

CAMP Moved to WITHDRAW the ordinance.

Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, having been **WITHDRAWN**, was assigned the File #**38-4667** & was placed on file in the office of the City Clerk.

ADJOURNMENT

5:18 P.M.

CAMP Moved to adjourn the City Council Meeting of April 4, 2016.
Seconded by Raybould & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa Meier, City Clerk

Rh onda Bice, Office Specialist

